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ESTABLISHED 1973

PATENT, TRADEMARK
AND COPYRIGHT LAW
AND RELATED CAUSES

PROSECUTION
LICENSING
LITIGATION
DISPUTE RESOLUTION

C. MARSHALL DANN (1977-2002)

TNJ & NY BARS ONLY

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MICHAEL G. MAUK, Ph.D.

July 26, 2004

In re the Continuation-in-Part Application of

EmadEldin M. Hassan

Serial No.: 10/667,738

Filing Date: September 22, 2003

Title: **ELEMENTAL NANOPARTICLES
OF SUBSTANTIALLY WATER INSOLUBLE MATERIALS**

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a):

I hereby certify that the enclosed "Applicant's Response To Notice To File Missing Parts of Nonprovisional Application Filed Under 37 CFR §1.53(b)" is being deposited on July 26, 2004, with the United States Postal Service as first-class mail in an envelope properly addressed to MAIL STOP — MISSING PARTS — FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

July 26, 2004

Date of Certification

John S. Child, Jr.
John S. Child, Jr.

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)

A Notice To File Missing Parts of Nonprovisional Application (Formalities Letter) was mailed on April 28, 2004, and had a deadline for reply of two (2) months, *i.e.*, until June 28, 2004. Applicant hereby petitions for a one (1) month extension of time for filing this Response, or until July 28, 2004, and encloses a check in the amount of \$120.00 (small entity rate) to cover the \$55.00 Extension Fee as well as the \$65.00 Declaration Surcharge.

07/28/2004 HLE333 00000072 10667738

02 FC:2251

55.00 OP

Respectfully submitted,

John S. Child, Jr.
John S. Child, Jr.

PTO Registration No. 28,833

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

In the event the fee calculation is incorrect, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, **Account No. 04-1406**. A duplicate copy of this sheet is enclosed for fee-processing if necessary.

DANN DORFMAN HERRELL AND SKILLMAN

A Professional Corporation

John S. Child, Jr.
John S. Child, Jr.

PTO Registration No. 28, 833



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**120.00****Complete if Known**

Application Number	10/667,738
Filing Date	September 22, 2003
First Named Inventor	EmadEldin M. Hassan
Examiner Name	Chi Min Kam
Art Unit	1653
Attorney Docket No.	Hassan 2001A

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

04 - 1460

Dann Dorfman Herrell and
Skillman

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	- 3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	55.00
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**120.00****SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	John S. Child, Jr.	Registration No. (Attorney/Agent)	28,833	Telephone	215-563-4100
Signature	John S. Child, Jr.	Date	July 26, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
ATTORNEY DOCKET HASSAN 2001A
Examiner Chi Min Kam, Group Art Unit 1653

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Continuation-in-Part Application of :
EmadEldin M. Hassan :
Serial No.: 10/667,738 : Examiner: Chi Min Kam
Filed: September 22, 2003 : Group Art Unit: 1653
Based on copending Application :
Serial No.: 09/748,803 :
Filed: December 22, 2000 :
For: **ELEMENTAL NANOPARTICLES OF SUBSTANTIALLY
WATER INSOLUBLE MATERIALS**

**APPLICANT'S RESPONSE
TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR § 1.53(b)**

MAIL STOP – MISSING PARTS – FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I Introduction

On April 28, 2004, the United States Patent and Trademark Office issued a Notice To File Missing Parts of Nonprovisional Application (Formalities Letter) for this Application. The Notice set a two-month deadline for filing all required items and paying any fees required, *i.e.*, until June 28, 2004. With this Response, Applicant is submitting a Petition for a One-Month Extension of Time Under 37 CFR 1.136(a) and has included the \$55.00 fee in its check for USPTO fees. Accordingly, this Response is timely as it is filed on July 26, 2004, with a Certificate of Mailing Under 37 CFR § 1.8(a).

II Items Required To Be Submitted To Avoid Abandonment

The Notice identified the following items required to be submitted in order to avoid abandonment of the Application:

1. The oath or declaration

Applicant submits a ***Declaration, Power of Attorney and Power To Inspect*** executed by EmadEldin M. Hassan, Ph.D. on July 22, 2004, with a copy of United States Patent Application Serial No. 10/667,738, filed September 22, 2003, attached.

2. A late filing fee or oath or declaration surcharge

Applicant submits a check made payable to the Commissioner of the United States Patent and Trademark Office in the amount of \$120.00, which covers the \$65.00 for the declaration surcharge as set forth in 37 CFR 1.16(e) as well as the \$55.00 fee for a Petition for a One-Month Extension of Time under the provisions of 37 CFR 1.136(a)

3. A copy of the Notice To File Missing Parts

Applicant has included a copy of the Notice To File Missing Parts of Nonprovisional Application issued on April 28, 2004.

III Conclusion

In response to the Notice To File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b), Applicant has submitted a Declaration, Power of Attorney and Power To Inspect, the \$65.00 Surcharge for providing the Declaration later than the appropriate 30 months from the priority date, the \$55.00 fee for a Petition requesting a one-month extension of time, and a copy of the Notice to File Missing Parts. Applicant's Response is timely and complete. Accordingly, with this Response, Applicant believes that the requirements for acceptance of Application No.10/667,738 under 37 CFR 1.53(b) have been completed.

Respectfully submitted,

DANN DORFMAN HERRELL AND SKILLMAN
A Professional Corporation

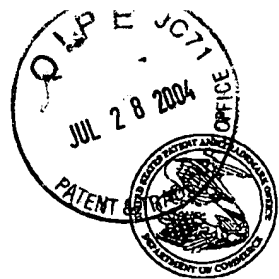


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Date: July 26, 2004

SEND ALL CORRESPONDENCE TO:
Customer Number 000110
DANN DORFMAN HERRELL AND SKILLMAN
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1601 Market Street
Philadelphia, PA 19103-2307



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/667,738	09/22/2003	EmadEldin M. Hassan	Hassan2001A

CONFIRMATION NO. 1894

FORMALITIES LETTER



OC000000012468745

000110
 DANN, DORFMAN, HERRELL & SKILLMAN
 1601 MARKET STREET
 SUITE 2400
 PHILADELPHIA, PA 19103-2307

Date Mailed: 04/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/28/2004 HLE333 00000072 10667738

01 FC:2051

65.00 DP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

F. R. M. W. O. T.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY